

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

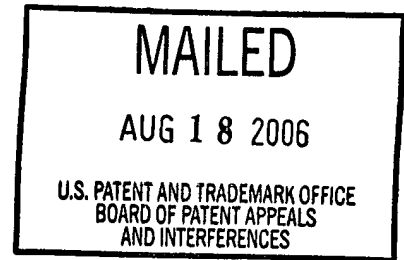
UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte JOSEPH R. BYRUM

Appeal No. 2006-0458
Application No. 09/606,977

ON BRIEF



Before FLEMING, Chief Administrative Patent Judge,
HARKCOM, Vice Chief Administrative Patent Judge, and
ADAMS, Administrative Patent Judge.


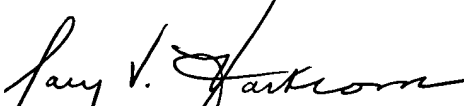
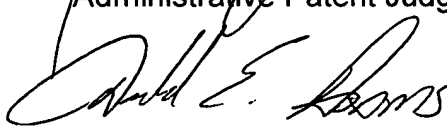
Per curiam.

On January 14, 2005, appellant filed a Notice of Appeal. On July 25, 2006, appellant filed a communication expressly abandoning the present application in favor of a continuing application filed on July 24, 2006.

Accordingly, it is

ORDERED that the appeal filed January 14, 2005 is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

)	
Michael R. Fleming, Chief)	
Administrative Patent Judge)	
)	
Gary V. Harkcom, Vice Chief)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
Donald E. Adams)	
Administrative Patent Judge)	

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